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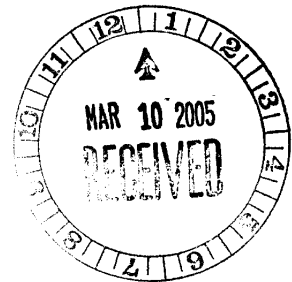
March 10, 2005

BY HAND

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

2005
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Re: ***STB Docket No. 42069, Duke Energy Corporation v. Norfolk Southern Railway Company; STB Docket No. 42070, Duke Energy Corp. v. CSX Transportation, Inc.; and STB Docket No. 42072, Carolina Power & Light Co. v. Norfolk Southern Railway Co.***

Dear Secretary Williams:

Enclosed for filing on behalf of Defendants Norfolk Southern Railway Company ("NS") and CSX Transportation Inc. ("CSXT") in the above-referenced proceedings are the original and 10 copies of: (i) NS' Reply to Complainant Duke's First Motion to Compel Production of Documents Regarding Phasing in Docket No. 42069 (March 7, 2005); (ii) CSXT's Reply to Complainant Duke's First Motion to Compel Production of Documents in Docket No. 42070 (March 7, 2005); and (iii) NS' Reply to Complainant CP&L's First Motion to Compel Production of Documents Regarding Phasing in Docket No. 42072 (March 7, 2005). Also enclosed are three computer disks, each containing an electronic copy of one of the three Replies.

Please acknowledge receipt of these submissions for filing by date-stamping the enclosed duplicate paper copies and returning them with our messenger. If you have any questions concerning this filing, please contact the undersigned.

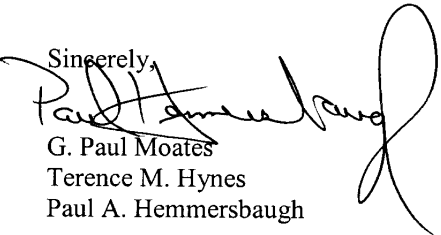
SIDLEY AUSTIN BROWN & WOOD LLP

WASHINGTON, D.C.

Honorable Vernon A. Williams
March 10, 2005
Page 2

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul A. Hemmersbaugh", is written over the typed names. The signature is fluid and cursive, with a large loop at the end.

G. Paul Moates
Terence M. Hynes
Paul A. Hemmersbaugh

Enclosures

cc: Counsel for Complainants

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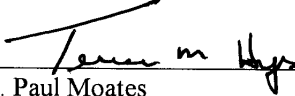
¹ Many of the contracts have confidentiality or non-disclosure provisions that prohibit NS from producing them to a third-party unless ordered to do so by a court or government agency.

sensitive, or both. In particular, CP&L has advised NS that it intends to move to compel NS to produce: (i) computerized traffic tapes and car movement records for four additional years, and (ii) revenue masking factors for the Carload Waybill Sample for the years 2001 through 2003. NS maintains that access to its coal transportation contracts and tariffs, in combination with the Carload Waybill Sample data that the Board has made available to CP&L, makes it entirely unnecessary for CP&L to obtain discovery of additional movement-specific traffic data, revenue masking factors and related materials.

Dated: March 10, 2005

James A. Squires
George A. Aspatore
David A. Shelton
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, Virginia 23510
(757) 629-2600

Respectfully submitted,


G. Paul Moates
Terence M. Hynes
Paul A. Hemmersbaugh
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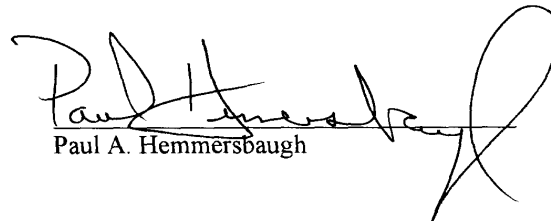
Counsel to Defendant Norfolk Southern Railway Company

CERTIFICATE OF SERVICE

I certify that, on this 10th day of March, 2005, I served the foregoing Reply to
Complainant's First Motion to Compel Production of Documents in Response to Phasing
Requests, by causing copies thereof to be delivered to:

C. Michael Loftus
Slover & Loftus
1224 Seventeenth Street, N.W.
Washington, D.C. 20036
(*hand delivery*)

David T. Conley
Carolina Power & Light Company
410 South Wilmington Street
Raleigh, NC 27601
(*via FedEx*)


Paul A. Hemmersbaugh